

tained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it in said statements.

On June 17, 1920, no claimant having appeared for the product, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S715. Adulteration of cauned tomato purée. U. S. \* \* \* v. 25 Cases of Canned Tomato Purée. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 2452. I. S. No. 7282-r. S. No. C-1932.)

On May 10, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases of canned tomato purée, remaining unsold in the original unbroken packages at Louisville, Ky., shipped by the Lapel Canning Co., Lapel, Ind., on or about February 26, 1920, alleging transportation from the State of Indiana into the State of Kentucky, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On July 1, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S716. Misbranding of De Lacy's Cin-Ko-Na and Iron. U. S. \* \* \* v. 16 Bottles of De Lacy's Cin-Ko-Na and Iron. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12523. I. S. No. 9551-r. S. No. C-1862.)

On March 23, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 bottles of De Lacy's Cin-Ko-Na and Iron, remaining unsold in the original unbroken packages at Memphis, Tenn., alleging that the article had been shipped on or about September 11, 1919, by the De Lacy Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Tennessee, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Nervousness, Impure Blood, \* \* \* Malaria, Catarrh \* \* \* Indigestion \* \* \* Sleeplessness \* \* \* Blood Diseases & Rheumatism \* \* \* Pimples;" (carton) "A valuable remedy for All Blood Diseases, Rheumatism, Catarrh and all Nervous Diseases \* \* \* Builds up the entire Nervous System, Allays Kidney and Bladder Troubles, Headache, etc. \* \* \* Catarrh in all its forms \* \* \* Liver Complaints \* \* \*. Invigorates the Kidneys \* \* \* is a perfect Remedy in all Chronic Diseases peculiar to Women \* \* \* Coughs, Colds, Grip, Bronchitis and Catarrh of the Stomach \* \* \* Pimples, Ulcers, Skin Troubles, Scrofula, and All Diseases arising from Impure Blood. Nervous Troubles, Neuralgia \* \* \* Sleeplessness, Dizziness, Blues, \* \* \* Despondency \* \* \* Tobacco and Alcoholic Excess, and Nervous Prostration, Malaria, Chills and Fever \* \* \* completely kills all Malaria Germs. Indigestion, Dyspepsia \* \* for all Stomach and Bowel Troubles. It is of great benefit and most useful for Consumption and all Wasting Diseases, Kid-

ney and Bladder Troubles, and Brights Disease. It is an excellent remedy for correcting all Female Complaints, Irregularities, Weakness, Painful Menstruation, Whites, and General Debility."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted of a solution containing quinine, strychnine, an iron salt, a laxative plant drug, glycerin, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements appearing in the labeling regarding the curative or therapeutic effects of the said preparation were false and fraudulent and calculated to deceive the purchaser or purchasers thereof, since said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 4, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8717. Misbranding of Pendleton's Vegetable Panacea. U. S. \* \* \* v. 24 Bottles and 5 Dozen Bottles of Pendleton's Vegetable Panacea. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12575, 12576. I. S. Nos. 12231-r, 12232-r. S. Nos. E-2061, E-2062.)

On April 6, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 24 bottles and 5 dozen bottles of Pendleton's Vegetable Panacea, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the G. I. Robinson Drug Co., Thomaston, Me., on or about March 10, 1920, and transported from the State of Maine into the State of Massachusetts, and alleging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottle and circular) "Pendleton's Vegetable Panacea or pain expeller \* \* \* it removes the pains of colic and the anguish of a cut or burn \* \* \* For canker, night-sweats, headache \* \* \* rheumatism, sprains, dysentery, pains in the side, back or breast, gives life to the circulation, and vigor to the whole system \* \* \* for diphtheria or sore throat, use freely internally and externally \* \* \* palpitation of the heart \* \* \* spasms, cholera, dysentery, spasmodic affections and colic, take from eight to twenty drops in a little sweetened water and increase the dose to a teaspoonful, according as the symptoms require. For headache bathe freely \* \* \* For wounds, apply upon lint till the pain ceases \* \* \*." (Similar statements in French.)

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of an alcoholic solution of capsicum, camphor, myrrh, and oils of spearmint, thyme, cedar, and cloves.

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements regarding the curative or therapeutic effects of the article were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 12, 1920, and November 23, 1920, no claimants having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*